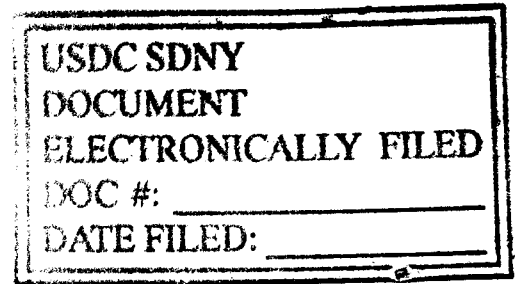


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
UNITED STATES COURTHOUSE
300 QUARROPAS STREET
WHITE PLAINS, NY 10601
914-390-4146

CHAMBERS OF
COLLEEN McMAHON
DISTRICT JUDGE



August 29, 2006

TO ALL COUNSEL IN

BROAD-BUSSEL FAMILY LIMITED PARTNERSHIP, ET AL. V. BAYOU GROUP, LLC
06CV3026(CM)

Counsel:

I have received plaintiffs' input concerning the Second Circuit's recent decision in Lerner v. Fleet Bank on the pending motions to dismiss, but I have heard nothing from any of the defendants. If any defendant (most particularly Citibank) wishes to address the applicability (or non-applicability) of the recent Lerner decision to the allegations against it, please have a letter on my desk no later than next Tuesday, September 5, 2006 at 9:00 a.m. I intend to dispose of at least Citibank's motion by the end of next week.

Sincerely,

A handwritten signature in black ink, appearing to read "Colleen McMahon", written over a horizontal line.

Colleen McMahon
United States District Judge